

STAVROS

CENTER FOR INDEPENDENT LIVING, INC.

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February 25, 1998

MM Docket 95-176

Further Notice of Proposed Rule Making

Office of the Secretary

The Federal Communication Commission

1919 M Street NW

Washington, D.C. 20054

To The Federal Communication Commission:

We submit these comments for the Commission's review on the Further Notice of Proposed Rule Making, MM-Docket 95-176, released on January 14, 1998. Stavros Center for Independent Living is an organization that has been in existence for over 20 years. We service people with a variety of disabilities, and we wish to voice our concerns in the issue of closed captions for emergency information. I, Angelina Ramirez, have worked for the Stavros, Assistive Technology Project as the Project Coordinator.

We have been helping consumers voiced their concerns regarding closed captions for the last seven years. We have worked at the local level with TV stations in both trying to allocate equipment and funding so that they can provide appropriate captions. We have sent letters to national television companies to address the issues faced by deaf and hard of hearing consumers. In 1996 we submitted comments that expressed our frustration with emergency information and captions to the Federal Communication Commission on the Notice of Inquiry "MS-95-176." We are very much aware of possible hardship for television stations and/or video program providers. However, we are also aware of the safety hazard and fear that deaf and hard of hearing people have experienced due to lack of captions for emergency information.

691 South East Street
Amherst, MA 01002-3045
(800) 442-1185
(413) 256-0473 V/TDD
Fax (413) 256-0190

262 Cottage Street
Springfield, MA 01104-4002
(413) 781-5555 V/TDD
Fax (413) 733-5473

55 Federal Street • Suite 210
Greenfield, MA 01301-2543
(413) 774-3001 V/TDD
(413) 772-2556 TDD
Fax (413) 772-2556

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in 1988 during a chlorine spill citizens were evacuated from their homes. Again, in 1993 an overturn truck containing nuclear waste, in Interstate Highway 91 caused the evacuation of citizens. None of these emergencies were captioned. These and other examples, show us how important it is for captions to be available during emergencies. Lives were at stake and continue to be every time something of this nature happens and no captions are provided. The importance of a human life cannot be measured by dollar signs. It is our opinion that emergency information should have top priority for video program providers despite cost and benchmark. Please kindly accept our comments in this matter.

[Paragraph 4-8] Emergency information should be expanded to include warnings of national conflicts, wars, state of alert, President or official government alerts or address. We believe that the best definition of emergency is any situations that may threaten the safety, or lives of the viewer. The situation may demand immediate action to prevent harm or information is needed to provide safety (i.e., War threats or national security issues).

[Paragraph 9] We believe it is a feasible requirement to require video program providers to supply captions. Although, emergency reports may be live some information is available before hand. In many circumstances, live reports go on the air once or twice within an hour without any new information. Therefore, we contend that the information conveyed on the first report can be caption and broadcast either through ENR captions, open visual scrawls or open captioning. In addition part of the information related for the first time at an emergency is known (to some extent). They may provide the information known at the time to provide equal access to the Deaf and Hard of hearing communities. Adding to the information as it becomes available.

[Paragraph 11] We believe that given the available technology already in place many video program providers can provide this service. It is feasible to do remote captioning on emergency information. The current technology allows people to be interview on Washinton by people that are on New York City. Through telephone and video conferencing technologies we believe it could be possible to provide remote captioning in emergency information. Not all video program providers may have access to this technologies. However, the majority have access to cameras and telephones, and computers that may allow them to provide remote captioning,

provided is planned for, ahead of time. The video program providers should be required to have a plan that describes how they will provide access to deaf and hard of hearing consumers during an emergency.

[Paragraph 12] We believe that emergency information should be captioned immediately. Emergencies should be given priority over any type of programming. Video program providers should still be complying with access to other types of programs. There should not be a benchmark. We do not want to decide which programs to be captioned. For example: if you caption 20 emergencies this year, you do not have to caption other programs as well. This is wrong the Deaf community cannot afford to continue to wait for captions. The technology is there, it has been there for a significant amount of time. Now is time for deaf and hard of hearing viewers to be safe. Their lives are valuable. They should have the same guarantees as any American to be safe and to be aware of any threats to their lives or safety.

The Commission nor any other entity will question whether or not, or when to provide emergency information to hearing viewers. Why should it be any different for deaf and hard of hearing viewers? They should have the same access to television than other viewers. Even more so, for Deaf and hard of hearing since they are a captive audience. They do not have an alternative between radio and television. To them television is the only available, means to know what is happening during an emergency. They cannot afford to wait for the morning newspaper. Video program providers should begin providing emergency information now, the sooner the better.

We believe that the entire text of the audio portion of the program should be presented textually. However, if this is not possible, as much as possible should be provided. The more information a people have in an emergency the better able they are to deal with the situation.

[Paragraph 13] There should not be any exemptions to provide emergency captions. Whatever the amount of money already spent by a video program provider, emergency information should be accessible. Once a video program provider, is providing captions in a regular basis, we expect that it will become an intricate part of their procedures (such as lighting or audio). All video program providers, should be required to supply captions despite their economic situations. The television was invented over forty years ago. The technology for

this medium continues to improve. However, deaf and hard of hearing still have little or no access to emergency information. Deaf individuals have waited a long time for the technology to be invented and for the right atmosphere to be present to ask for access. The time is here, money should not be a barrier. Specially, considering that even the smallest companies make significant amounts of money.

For those entities that are small, monies shall be made available. We proposed that small entities affiliated with national chains should be subsidized by their parent companies. In cases in where this does not apply, we suggest they apply for funding through the Department of Education. We have seen how some programs (i.e., Soap operas) have their captions funded through them. We proposed that funds be given out with certain priorities in mind and in a competitive basis. A third alternative is using some advertising funds they may receive from local companies to secure captions.

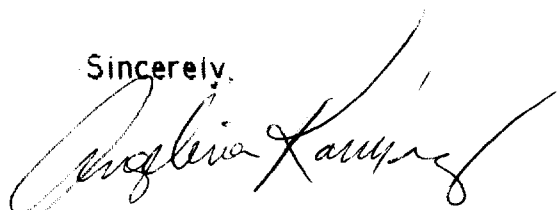
[Paragraph 14] Emergency information should be provided by any means necessary, and this information should be as complete as possible. MVPD's should be equally responsible for providing emergency information. Anyone, providing, televised information is equally responsible for providing emergency information.

[Paragraph 15] Emergency information should be provided by any means necessary. Although, I agree that alternative channels should be use to get comprehensive information, other methods are available as well. Open captions, visual scrawls are alternatives, which are readily achivable by most television stations. These methods are widely used. There is also the possibility in the future to use speech recognition to provide captions. Currently speech recognition is being used for other purposes (i.e., telephone information services, 411) and we are confident that this technology will become available and affordable to video program providers. However, one thing we do not want to see is the "shrinking of the screen" to provide information while the program is still going on. The "shrinking of the screen" does not allow for equal access. While hearing people can still hear the program or choose to read the emergency cancelations, individuals with hearing disabilities cannot. The "shrinking of the screen" interrupts the captions or minimizes them to an extent that are unreadable. Therefore, there is no choice.

We also proposed that sometimes where there are interpreters present, one camera should capture them, so that deaf viewers can benefit from the translation. (i.e., Presidents address) However, this is not a substitute for captions.

It is our opinion at the Stavros Assistive Technology Project that individuals who are deaf or hard of hearing should have equal access to all emergency information. Emergency information is vital and does not serve the interest of anyone to exclude the Deaf and Hard of Hearing population.

Sincerely,

A handwritten signature in cursive script, appearing to read "Angelina Ramirez". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Angelina Ramirez
Stavros, Assistive Technology Project Coordinator